



City of Madison

City of Madison
Madison, WI 53703
www.cityofmadison.com

Master

File Number: 28939

File ID: 28939

File Type: Resolution

Status: Council New Business

Version: 1

Reference:

Controlling Body: COMMON COUNCIL

File Created Date : 01/29/2013

File Name: 9382 Exchange of Deeds With Cherokee Park, Inc.

Final Action:

Title: Authorizing an exchange of lands between the City of Madison and Cherokee Park, Inc., to correct title to a portion of Cherokee Marsh North and a portion of Cherokee Golf Course.

Notes:

CC Agenda Date: 02/05/2013

Agenda Number: 88.

Sponsors: Anita Weier

Effective Date:

Attachments: 9382 Exhibit B Map.pdf

Enactment Number:

Author: Jenny Frese, Real Estate Agent

Hearing Date:

Entered by: afreedman@cityofmadison.com

Published Date:

Approval History

Version	Date	Approver	Action
1	01/29/2013	Daniel Bohrod	Approve

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Economic Development Division	01/29/2013	Referred for Introduction				
	Action Text:		This Resolution was Referred for Introduction				
	Notes:		Board of Park Commissioners, Plan Commission.				
1	COMMON COUNCIL	02/05/2013					

Text of Legislative File 28939

Fiscal Note

No fiscal impact.

Title

Authorizing an exchange of lands between the City of Madison and Cherokee Park, Inc., to correct title to a portion of Cherokee Marsh North and a portion of Cherokee Golf Course.

Body

On June 06, 2008, the City of Madison (the "City") purchased Outlot 1 of Certified Survey Map ("CSM") No. 12439 and Outlot 1 of CSM No.12293. Subsequent field work by City of Madison Parks Department and Cherokee Park, Inc. ("CPI") revealed that a portion of CPI's golf course lands were encroaching into the lands purchased by the City. During discussions to correct the problem, the City agreed to convey the golf course lands back to CPI in exchange for the conveyance of a portion of Lot 1 of CSM No. 12293 that was not conveyed during the 2008 purchase.

CSM No. 12879, recorded on March 29, 2010 as Doc. No. 4644449 was created to establish the correct the boundaries between the City lands and CPI lands, in anticipation of the exchange of future conveyances to correct ownership interests and to clarify record title between the City and CPI within said CSM boundary.

On April 21, 2010, the City purchased Outlot 2 of CSM No. 12879, with CPI retaining ownership to Outlot 4 of CSM No. 12879. At this point, the boundaries and ownership interests were correct, with the exception of the agreed upon exchange between the City and CPI for the encroaching golf course lands and a portion of the Lot 1 CSM No. 12293 lands.

After the exchange, the corrected ownerships will correspond with the Outlot boundaries established in CSM No. 12879, with the City owning Outlots 1 and 2 and CPI owning Outlots 3 and 4 of CSM No. 12879. These corrected interests are legally described in attached Exhibit A and depicted in a map attached as Exhibit B.

NOW, THEREFORE BE IT RESOLVED that the Common Council of the City of Madison authorizes the acceptance of a quit claim deed from Cherokee Park, Inc. for all rights, title and interest Cherokee Park, Inc. may have in Outlots 1 and 2 of CSM No. 12879, as legally described in attached Exhibit A and depicted on attached Exhibit B.

BE IT FURTHER RESOLVED that the Common Council of the City of Madison authorizes the execution of a quit claim deed to Cherokee Park, Inc. for all rights, title and interest the City may have in Outlots 3 and 4 of CSM No. 12879, as legally described in attached Exhibit A and depicted on attached Exhibit B; however, reserving any rights the City has in any recorded public utility easements.

EXHIBIT A

Legal Descriptions

Lands to be Quit Claimed from Cherokee Park, Inc. to the City of Madison:

Outlot 1 and 2, Certified Survey Map No. 12879, recorded March 29, 2010 with the Dane County Register of Deeds as Document No. 4644449.

Lands to be Quit Claimed from the City of Madison to Cherokee Park, Inc.:

Outlot 3 and 4, Certified Survey Map No. 12879, recorded March 29, 2010 with the Dane County Register of Deeds as Document No. 4644449.

EXHIBIT B ATTACHED



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